

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MARK ALLEN STEINMETZ,)
vs.)
Plaintiff,)
vs.) Case No. 18-00088-CV-W-ODS
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
Defendant.)

ORDER GRANTING PLAINTIFF'S APPLICATION FOR ATTORNEY FEES

Plaintiff requests an award of fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$8,033.23. Doc. #26. In her response to Plaintiff's motion, Defendant represents the parties have agreed to an award of EAJA fees and expenses in the amount of \$7,500.00 to be paid by the Social Security Administration. Doc. #27. Given the parties' agreement, the Court grants Plaintiff's motion, and awards Plaintiff fees and expenses in the amount of \$7,500.00.

The EAJA award is payable to Plaintiff as the litigant and may be subject to offset to satisfy a pre-existing debt, if any, owed to the United States. See *Astrue v. Ratliff*, 560 U.S. 586, 597 (2010). In light of Plaintiff's assignment of any award to his attorney, the net award should be made payable to Plaintiff's counsel.

IT IS SO ORDERED.

DATE: April 17, 2019

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT